REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-45 have been rejected.

In this response, claims 1, 4, 11, 17, 21, 24, 26, 30, 32, 34, 38, 40, 42, and 44 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

Claims 1-45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,854,112 to Crespo et al. ("Crespo") in view of U.S. Patent No. 7,249,354 to Tigani et al. ("Tigani") in view of U.S. Patent No. 6,066,182 to Wilde et al. ("Wilde").

Applicant have amended claim 1 to read, in part, as follows: "automatically searching in a plurality of locations for a configuration information that includes one or more parameters to configure the software that includes <u>determining whether a first portion of the configuration information is at a first location based on a first identification of the data processing system</u>; continuing the searching in one or more second locations for a second portion of the configuration information based on a second identification of the data processing system." (emphasis added).

The Examiner acknowledged that "Crespo does not disclose searching a plurality of locations."(Office Action, p. 3).

Crespo discloses the following:

… a method for installing and configurating a package including an operating system, software products, and applications on one or more end-user computers connected to one or more server computers in a network. The method comprises the steps of: storing into a central repository the package and identification data of one or more end-user computers;
<u>sending the package from the central repository to one or more server computers based on the identification data;</u>
creating on the server computers installation programs and associated response files based on the identification data; and
installing the package on the end-user computers.

(Crespo, col. 3, lines 40-54)(emphasis added)

More specifically, the portions in Crespo cited by the Examiner disclose the following:

Referring now to FIG. 1, the main components of the present invention are described. A Configuration Database (100) which is <u>a storage area of a Central Repository (104) stores identification data (packages, and the definition/configuration/parameters of hardware and software) associated with each target machine 112 (end-user workstation or server) to be installed</u>. The Configuration Database may be a DB2 database implemented on a S/390 mainframe, where both products are from the IBM Corporation.

(Crespo, col. 5, lines 31-40)(emphasis added)

Thus, Crespo discloses <u>sending from the central repository</u> the package including an operating system based on the identification data. In contrast, amended claim 1 refers to <u>determining whether a configuration information is at a first location</u>. Crespo fails to disclose <u>determining whether a first portion of the configuration information is at a first location based on a first identification of the data processing system</u>; continuing the searching in one or more second locations for a second portion of the configuration information based on a second identification of the data processing system.

The Examiner stated that "the combination of Crespo and Tigani does not disclose searching for a first portion of the configuration information at a first location; and continuing

the searching in one or more second locations for a second portion of the configuration

information."(Office Action, p. 4).

Tigani, in contrast, discloses deploying a software build from a plurality of software

builds to a target computer. More specifically, Tigani discloses that "the build master

identifies a build server that stores the software build."(col. 2, lines 39-40). In contrast,

amended claim 1 refers to <u>determining whether a configuration information is at a first</u>

<u>location based on a first identification of the data processing system</u>. Tigani fails to disclose

<u>determining whether a first portion of the configuration information is at a first location based</u>

<u>on a first identification of the data processing system</u>; and continuing the searching in one or

more second locations for a second portion of the configuration information based on a

second identification of the data processing system, as recited in amended claim 1.

Wilde, in contrast, discloses operating system personalization during installation.

More specifically, Wilde discloses "an operating system configuration file and a

personalization parameters file in the memory…to configure the operating system with

personalization parameters (col. 3, lines 50-53). Wilde fails to disclose <u>determining whether a</u>

<u>first portion of the configuration information is at a first location based on a first identification</u>

<u>of the data processing system</u>; and continuing the searching in one or more second locations

for a second portion of the configuration information based on a second identification of the

data processing system, as recited in amended claim 1.

Furthermore, even if Wilde, Crespo, and Tigani were combined, such a combination

would still lack <u>determining whether a first portion of the configuration information is at a</u>

<u>first location based on a first identification of the data processing system</u>; and continuing the

searching in one or more second locations for a second portion of the configuration

information based on a second identification of the data processing system, as recited in

amended claim 1.

Therefore, Applicant respectfully submit that claim 1, as amended, is not obvious

under 35 U.S.C. § 103(a) over Crespo, in view of Tigani, and further in view of Wilde.

Given that claims 2-45 contain limitations that are similar, but not identical to those

limitations set forth above with respect to amended claim 1, Applicant respectfully submit that

claims 2-45 are not obvious under 35 U.S.C. § 103(a) over Crespo, in view of Tigani, and

further in view of Wilde.

It is respectfully submitted that in view of the amendments and arguments set forth

herein, the applicable rejections and objections have been overcome. If there are any

additional charges, please charge Deposit Account No. 022666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: February 11, 2010   __/Tatiana Rossin/_____ _____
                                        Tatiana Rossin
                                        Reg. No. 56,833

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300
Fax (408) 720-8383

Customer No. 045217